

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6241-CR-ZLOCH

RECEIVED & FILED IN OPEN COURT
ON 2-8-01 AT
FT. LAUDERDALE, FLA.
Clarence Maddox, Clerk
United States District Court
Southern District of Florida

UNITED STATES OF AMERICA,

V.

DAVID EDWIN APPLIGATE,

Defendant.

GOVERNMENT'S MOTION FOR SENTENCE
REDUCTION PURSUANT TO U.S.S.G. §5K1.1

COMES NOW the United States of America, by and through the undersigned counsel, and moves this Honorable Court pursuant to Title 18, United States Code, Section 3553(e) and U.S.S.G. §5K1.1 and in support thereof states as follows:

1. On October 20, 2000, Defendant Appligate pleaded guilty, pursuant to an agreement in the above styled case to Count One of the Indictment, which count charged the defendant with knowingly selling, buying, receiving, and delivering, counterfeit obligations of the United States, that is, one hundred eighty-seven thousand dollars (\$187,000) in one hundred-dollar denominations of Federal Reserve Notes, Series of 1996, with the intent that the same be passed, published and used as true and genuine, in violation of Title 18, United States Code, Sections 473 and 2.

2. Defendant Appligate is expected to be sentenced in the above-styled matter on February 8, 2001. His sentencing guideline offense level is 15, criminal history category 3, with a guideline

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imprisonment range of 24 to 30 months.

3. Prior to entering his plea, Defendant Applegate began to cooperate with the United States in the investigation and prosecution of others. Defendant Applegate assisted in the investigation of his co-defendant Ramin Baharmast and the recovery of \$3,200 in counterfeit \$100 Federal Reserve Notes not disclosed to law enforcement by Baharmast after he had agreed to cooperate with the government. Additionally, on January 10, 2001, defendant Applegate's cooperation lead to the seizure by the U.S. Secret Service and the Colombia D.A.S. of \$196,500 in counterfeit \$100 Federal Reserve Notes and the arrest of two individuals working with Baharmast in Colombia.

4. The United States certifies that the defendant has rendered substantial assistance as that term is defined in 5K1.1 of the Sentencing Guidelines.

WHEREFORE, the United States requests this Court enter an Order reducing Defendant Applegate's guidelines term of imprisonment by one third.

Respectfully submitted,


GUY A. LEWIS
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing
was faxed and mailed this 7th day of February 7, 2001 to:

Mr. John F. Cotrone, Esq.
Attorney for Defendant Applegate
509 S.E. 9th Street
Fort Lauderdale, FL 33316



ROGER W. POWELL
ASSISTANT UNITED STATES ATTORNEY